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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RIGOBERTO GUERRA-SALCEDO, and
15 RAYMOND LEON RODRIGUEZ,
Defendants.

CASE NO. 2:20-CR-00089-WBS

**STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL
ACT; FINDINGS AND ORDER**

STIPULATION

1. By previous order, this matter was set for status on February 22, 2021.

20 2. By this stipulation, defendants now move to continue the status conference
21 until May 10, 2021 at 9:00 a.m., and to exclude time between February 22, 2021, and May
22 10, 2021 at 9:00 a.m., under Local Code T4.

23 3. The parties agree and stipulate, and request that the Court find the
24 following:

25 a) The government has represented that the discovery associated with
26 this case includes investigative reports, photographs, and audio recordings. All of
27 this discovery has been either produced directly to counsel and/or made available
28 for inspection and copying.

1 b) Counsel for defendants desire additional time review the discovery,
2 conduct defense investigation, meet with their respective clients, and otherwise
3 prepare for trial in this matter.

4 c) Counsel for defendants believe that failure to grant the above-
5 requested continuance would deny them the reasonable time necessary for effective
6 preparation, taking into account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by
9 continuing the case as requested outweigh the interest of the public and the
10 defendant in a trial within the original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18
12 U.S.C. § 3161, et seq., within which trial must commence, the time period of
13 February 22, 2021 to May 10, 2021 at 9:00 a.m., inclusive, is deemed excludable
14 pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a
15 continuance granted by the Court at defendant's request on the basis of the Court's
16 finding that the ends of justice served by taking such action outweigh the best
17 interest of the public and the defendant in a speedy trial.

18 4. Nothing in this stipulation and order shall preclude a finding that other
19 provisions of the Speedy Trial Act dictate that additional time periods are excludable from
20 the period within which a trial must commence.

21 IT IS SO STIPULATED.

23 Dated: February 16, 2021

MCGREGOR W. SCOTT
United States Attorney

25 _____
26 /s/ JUSTIN L. LEE
27 JUSTIN L. LEE
28 Assistant United States Attorney

Dated: February 16, 2021

/s/ JONATHAN GONZALES

1 JONATHAN GONZALES
2 Counsel for Defendant
3 Rigoberto Guerra-Salcedo

4 Dated: February 16, 2021

5 /s/ PHIL COZENS
6 PHIL COZENS
7 Counsel for Defendant
8 Raymond Rodriguez

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10 **FINDINGS AND ORDER**

11 IT IS SO FOUND AND ORDERED.

12 Dated: February 17, 2021

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14 WILLIAM B. SHUBB
15 UNITED STATES DISTRICT JUDGE

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